



AF/2800
#

PATENT APPLICATION

IN U.S. PATENT AND TRADEMARK OFFICE

April 21, 2003

Applicant(s): Rainer Ludwig

For : MONITORING DEVICE

Serial No. : 09/758 513

Group : 2837

Filed : Jan. 10, 2001

Examiner: McCloud

Confirmation No. 8395

Box AF
Assistant Commissioner for Patents
Washington, D.C. 20231

TECHNOLOGY CENTER 2800

APR 30 2003

RECEIVED

17/Justice
of
Appeal
Cherif
5/7/03

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Dear Sir:

Applicants hereby appeal to the Board of Appeals from the decision mailed January 2, 2003 of the Primary Examiner finally rejecting Claims 1, 3-10, and 39 and objecting to Claims 11-38.

(Please see following page)

CERTIFICATE OF MAILING

I hereby certify that this correspondence and enclosures are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on April 21, 2003.

Edward J. Timmer

Reg. No. 27 402

Notice of Appeal - page 2

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The item(s) checked below are appropriate:

- [X] 1. A petition and fee for a one month time extension accompany this Notice.
- [X] 2. Appeal fee:
[] \$320.00 (large entity).
[X] \$160.00 (small entity).
Verified Claim/Statement(s) re small entity status.
[] Attached.
[X] Previously submitted.
- [X] 3. A check for \$215.00 is enclosed to cover fees.
- [] 4. A Response is enclosed submitting a Terminal Disclaimer and the terminal disclaimer fee (\$110.00.)
- [] 5. Please charge the Appeal Fee of \$_____ to Deposit Account No. 20-1124. A duplicate copy of this sheet is enclosed.
- [X] 6. The Commissioner is authorized to charge any additional fees required by this paper or to credit any overpayment to Deposit Account No. 20-1124. A duplicate copy of this sheet is enclosed.
- [X] 7. An acknowledgement postal card is enclosed.

Respectfully submitted,

IN DUPLICATE



Edward J. Timmer (Reg.No. 27 402)

Walnut Woods Center
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Kalamazoo, Michigan 49009
Tel: (616) 353-8807

Encl: Listed Ab